

1 THE HONORABLE ROBERT S. LASNIK  
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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 DELVA ZARATE, a single person,

12 Plaintiff,

13 v.

14 M/V TATU, Official Number 734665, and its  
15 engines and appurtenances, *in rem*, and  
16 PLATINUM PREMIER CORP. and MICHAEL  
17 SIMS, *in personam*,

18 Defendants.

19 IN ADMIRALTY

20 No.: 2:14-CV-00563-RSL

21 **STIPULATED MOTION AND ORDER  
22 VACATING ARREST**

23 **NOTE ON MOTION CALENDAR:  
24 May 14, 2014**

25 Plaintiff Delva Zarate and Defendants Platinum Premier Corp. and Michael Sims jointly  
26 move this Court for an order vacating the arrest of M/V TATU (ON. 734665), effective  
immediately.

27 Although undersigned counsel understand that the Court's ruling at this morning's  
28 hearing effectively vacated the arrest of the vessel and ordered the vessel to be re-arrested, the  
29 U.S. Marshal reports that no order vacating the arrest has been received. To clear up any  
30 confusion on this point, the parties advise the Court that they reached agreement to conditionally  
31 settle the action subject to terms and conditions to be memorialized by the parties by CR 2A  
32 Agreement, and the parties therefore respectfully request that the Court issue an order vacating  
33 the arrest and directing the U.S. Marshal to release the vessel immediately.

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1 DATED this 14th day of May 2014.

2 NICOLL BLACK & FEIG, PLLC

3  
4 /s/ Jeremy B.Jones  
5 Christopher W. Nicoll, WSBA No. 20771  
6 Jeremy B. Jones, WSBA No. 44138  
7 1325 Fourth Avenue, Suite 1650  
8 Seattle, WA 98101  
9 (206) 838-7555  
10 Attorneys for Defendants

11 KARLBERG & ASSOCIATES PLLC  
12 (*via email authority on 5/14/2014*)  
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1 /s/ Kenneth L. Karlberg  
2 Kenneth L. Karlberg, WSBA No. 18781  
3 909 Squalicum Way, Suite 110  
4 Bellingham, WA 98225  
5 (360) 325-7774  
6 Attorney for Plaintiff

## ORDER

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. The Warrant for Arrest of M/V TATU (Dkt. #13) is hereby **VACATED**;
  2. The U. S. Marshal is hereby **ORDERED** to arrange for the immediate release of M/V TATU; and
  3. The Clerk of Court is hereby **ORDERED** to provide a copy of this Order to the

DATED this 15<sup>th</sup> day of May, 2014

Mrs Casnik

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**Robert S. Lasnik**  
United States District Judge

PRESENTED BY:

NICOLL BLACK & FEIG, PLLC

*/s/ Jeremy B. Jones*

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Jeremy B. Jones, WSBA No. 44138  
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Attorneys for Defendants

**REVIEWED, APPROVED AS TO FORM BY:**

**KARLBERG & ASSOCIATES PLLC**  
*(via email authority on 5/14/2014)*

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